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May 4, 2001

Donna Wieting, Chief
Marine Mammal Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910-3226

RE: U.S. NAVY REQUEST TO DEPLOY LFAS

Dear Ms. Wieting:

Malama O Puna is a Hawai 'i nonprofit corporation and a 501(c)(3) environmental organization, with a membership of over 1,450 households.

A week after the Navy did their undersea sonar tests here in Hawai 'i, a juvenile monk seal (a listed species) was observed in the inshore waters of the Puna District along the east side of the island of Hawai 'i. Monk seals had never been seen before in this area. They are normally found in the north west part of the Hawaiian archipelago, not near the southern tip of the populated islands. Furthermore, young seals do not venture off on their own under normal circumstances. The Navy sonar tests were not normal circumstances. Other unusual anomalies were also noted during that period. This sighting of the seal was reported to the National Biological Survey (by myself). Yet no mention of it was made in the Navy's EIS, a seriously flawed document.

Since it is the mandate of NMFS to protect marine mammals, especially those on the Endangered Species List, it behooves your office to act on the side of caution. It is clear from previous tests that damage to whales, dolphins and other creatures (including humans in the water during a test) is more than a distinct possibility, it is almost guaranteed. The Navy's recent accidents in Kuwait and Hawai 'i have seriously eroded public confidence in their ability to conduct any sort of operation safely and as designed. The beachings of whales in the Bahamas was another tragic example.

The Navy claims that the sonar tests are vital to national defense, and that LFAS can hunt for quiet-running "enemy" submarines. Who IS the "enemy"? We feel very strongly that the best defense is good diplomacy. LFAS has the potential to kill or maim,

either directly or as a consequence of sonar-related damages, many, many more marine mammals than it would detect "enemy" submarines. We do not feel that this program is cost-effective, responsible, necessary or conscionable.

On behalf of our membership, we urge you to deny the Navy the regulatory permission which they are requesting. Pressure from the American people was vital to the passage of the ESA. The Navy sets a bad example in asking for permission to violate it. No one should be allowed to harass, injure or kill listed species, period. That includes the Navy. We intend to urge our legislators to stop the funding for this program and to support Oversight Hearings on the environmental impacts of LFSA and mid-range sonars as well.

Sincerely,

A handwritten signature in cursive script, reading "René Siracusa".

René Siracusa
President
Malama O Puna

cc: President George W. Bush
Secy. Donald Rumsfeld, DOD
Acting Secy. Robert B. Pirie, Jr., U.S. Navy
Rep. Patsy T. Mink
Sen. Daniel Inouye
Sen. Daniel Akaka
Dr. Marsha L. Green, OMI